

REMARKS

This communication is responsive to the Official Action dated May 26, 2009. By this Amendment with claims 1, 2 and 11-20 pending in the application, claim 1 is amended, claims 15-20 are newly added and claims 3-10 and 14 are canceled without prejudice or disclaimer. Currently, claims 11-13 are withdrawn from further consideration.

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) places the application in better form for appeal, should an Appeal be necessary; and, d) does not add any new claims without canceling at least an equal number of claims. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Applicants respectfully request rejoinder of the withdrawn claims to the application. It is respectfully submitted that claim 1 is generic to both Species I and II. In brief, claims 11-13 (claims 12 and 13 depend from claim 11 which, in turn, depends from claim 1) merely add structural features to the imaging apparatus.

Claims 1-10 are rejected under 35 USC 103 (b) as being unpatentable over Miyazaki et al. (U.S. Patent Application Publication No. 2002/0122666). The rejection is respectfully traversed.

Miyazaki teaches a pop-up mechanism for flashing apparatus and camera apparatus equipped with the flashing apparatus. The pop-up mechanism includes a strobo apparatus which is supported so as to be movable between a pop-up position and a housing position, a coil spring which urges the strobo apparatus to the pop-up position, a working member having a hooking piece which holds the strobo apparatus at the housing position and a plunger mechanism which is

linked to the working member and of which magnetic attracting force is inactivated when the plunger mechanism is energized. In a condition that the strobo apparatus is housed, the working member is attracted by a magnetic force generated in the plunger mechanism resisting a spring force of the coil spring, the hooking piece is engaged with a wire to hold the strobo apparatus in the housing position, the plunger mechanism is energized to inactivate a magnetic attracting force to move the hooking piece backward from the wire by a spring force of the coil spring and the strobo apparatus is sprung up to the pop-up position.

Claim 1, as amended, is directed to an imaging apparatus that includes an exterior case to which a lens device is attached, a baseplate, a flashlight device, spring means and holding means. Claim 1 recites that the base plate is supported in the vicinity of an objective lens of the lens device and the flashlight device is pivotally connected to the base plate and is capable of moving between a pop-up position and a storage position through a turning arm. Further, claim 1 recites that the spring means makes the flashlight device pop up to be urged to the pop-up position with the spring means in contact with the base plate and the flashlight device. Also, claim 1 recites that the holding means holds the flashlight device in the storage position with the holding means fixedly connected to the base plate and releasably connected to the flashlight device in the storage position. Additionally, claim 1 recites that a light emitting portion faces the front of a subject in the pop-up position.

Furthermore, claim 1 recites that the flashlight device includes a reflecting mirror having a pair of first reflecting surfaces disposed apart from and generally facially opposing one another and a second reflecting surface interconnecting the pair of first reflecting surfaces to form a generally U-shaped configuration. Also, claim 1 recites that the second reflecting surface as viewed in cross-section has an upper front side cylindrical surface section extending arcuately at a constant radius of curvature about a center point, a lower front side cylindrical surface section extending arcuately at the constant radius of curvature about the center point, a rear side cylindrical surface section extending arcuately at the constant radius of curvature about the center point, an upper recessed surface section interconnecting the upper front side cylindrical surface section and the rear side cylindrical surface section and projecting away from the center point and a lower recessed surface section interconnecting the lower front side cylindrical

surface section and the rear side cylindrical surface section and projecting away from the center point.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 1 as amended. Specifically, it is respectfully submitted that the applied art, alone or in combination, fails to teach or suggest a flashlight device that includes a reflecting mirror having a pair of first reflecting surfaces disposed apart from and generally facially opposing one another and a second reflecting surface interconnecting the pair of first reflecting surfaces to form a generally U-shaped configuration. Furthermore, it is respectfully submitted that the applied art also fails to teach or suggest that that the second reflecting surface as viewed in cross-section has an upper front side cylindrical surface section extending arcuately at a constant radius of curvature about a center point, a lower front side cylindrical surface section extending arcuately at the constant radius of curvature about the center point, a rear side cylindrical surface section extending arcuately at the constant radius of curvature about the center point, an upper recessed surface section interconnecting the upper front side cylindrical surface section and the rear side cylindrical surface section and projecting away from the center point and a lower recessed surface section interconnecting the lower front side cylindrical surface section and the rear side cylindrical surface section and projecting away from the center point.

Thus, it is respectfully submitted that one of ordinary skill in the art could not combine the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claim 2 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Claims 3-10 are canceled and, as a result, the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

It is respectfully submitted that the pending claims are believed to be in condition for allowance over the prior art of record. Therefore, this Amendment is believed to be a complete response to the outstanding Office Action. Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to set forth further arguments and remarks supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

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Respectfully submitted,

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Enclosure(s): Amendment Transmittal

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